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39 Froothie USA LLC, and Xiuxing "Leo" Chen

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41 UNITED STATES DISTRICT COURT
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43 NORTHERN DISTRICT OF CALIFORNIA
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45 SAN JOSE DIVISION

46 FRESH PRESS, LLC

47 CASE NO. 5:17-cv-01921-BLF

48 Plaintiff,

49 vs.
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51 **STIPULATION AND [PROPOSED]**
52 **ORDER FOR VOLUNTARY DISMISSAL**
53 **WITHOUT PREJUDICE**
54 **[F.R.C.P. RULE 41(A)(2)]**

55 iTASTE CO., LTD., a/k/a iTaste Co., Ltd.
56 Shanghai, China and Shanghai iTaste
57 Electronics Technology Co., Ltd., d/b/a Juisir;
58 FROOTHIE USA LLC, a Delaware limited
59 liability company; and
60 XIUXING "LEO" CHEN, an individual,

61 Defendants.

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1 Pursuant to Federal Rule of Civil Procedure 41(a)(2) and based on the representations of
2 each and every Defendant that they are not currently making, using, selling, nor offering for sale in
3 the United States, nor importing into the United States, the accused JuLaVie cold press juicer nor
4 any product not colorably different from same, and nor do they have current plans to enter the U.S.
5 market to commercialize any such products, the parties hereby stipulate and jointly move that this
6 Court dismiss this action without prejudice, with each party to bear its own costs and attorneys' fees.

7 The parties are not waiving any claims or arguments nor acquiescing to any actions of any
8 parties and reserve all rights to pursue these claims (and any others now existing or later arising) in
9 the future.

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1 Dated: July 2, 2020 QUINN EMANUEL URQUHART & SULLIVAN, LLP

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3 By: /s/ Joseph Milowic III
4 Joseph Milowic III

5 Attorneys for Plaintiff
6 FRESH PRESS, LLC

7 Dated: July 2, 2020 FENWICK & WEST LLP

8

9 By: /s/ David Hadden
10 David Hadden

11 Attorneys for Defendants
12 iTASTE CO., LTD., FROOTHIE USA
13 LLC, and XIUXING "LEO" CHEN

14 **ATTESTATION PURSUANT TO CIVIL L.R. 5-1(i)(3)**

15 Pursuant to Civil L.R. 5-1(i)(3), I attest that concurrence in the filing of this document has
16 been obtained from its signatories.

17 Dated: July 2, 2020

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19 By: /s/ Joseph Milowic III
20 Joseph Milowic III

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24 **IT IS SO ORDERED.**

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26 DATED: _____

27 Hon. Beth Labson Freeman
28 United States District Judge